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GENERAL ASSEMBLY
Fifty-third session
Agenda items 39 and 40
QUESTION OF PALESTINE
THE SITUATION IN THE MIDDLE EAST

SECURITY COUNCIL
Fifty-fourth year

Identical letters dated 7 May 1999 from the Permanent Representative of Algeria to the United Nations addressed to the Secretary-General and to the President of the Security Council

In my capacity as chairman of the Arab Group for May 1999 and on behalf of the members of the League of Arab States, I have the honour to draw your attention to the following:

Next Tuesday, 11 May 1999, is the fiftieth anniversary of the adoption by the General Assembly in 1949 of its resolution 273 (III), under which Israel was admitted to membership in the United Nations. The celebrations that Israel is holding to mark this occasion prompt us to take a serious look at Israel's conduct and at the positions it has adopted in its dealings with the United Nations as the repository of international legitimacy.

Israel has refused to honour the obligations and undertakings to which reference is made in the aforementioned General Assembly resolution, specifically those relating to the implementation of General Assembly resolutions 181 (II) of 29 November 1947 and 194 (III) of 11 December 1948, and it has also refused to abide by the declarations and explanations made by its representative before the Ad Hoc Political Committee in respect of the implementation of the said resolutions.

It is to be regretted that, 51 years after the adoption of General Assembly resolution 181 (II), Israel claims that the resolution is invalid and is still opposing the establishment of the Arab State in Palestine for which provision is made in that resolution. It refuses to comply with the terms of resolution 194 (III) and subsequent resolutions establishing the right of the Palestine refugees to return to their homes and property and the right to compensation for those choosing not to return. We remind you and the international community in this regard that 4.7 million Palestine refugees have for many decades been

living in wretched conditions far from their homeland while awaiting the implementation of United Nations resolutions adopted by the General Assembly 50 years ago.

This was not the end of the matter. Israel has persisted in systematically violating United Nations resolutions over the past three decades. It continues to occupy Arab Palestinian, Syrian and Lebanese territory, and it refuses to withdraw from these territories in flagrant violation of the provisions of the Charter of the United Nations, international law and the resolutions that embody international legitimacy. It pursues policies that are in breach of international humanitarian law, specifically the fourth Geneva Convention of 1949. These policies have been implemented in the form of settler colonialism, the expulsion of residents from the occupied territories and the destruction of their homes and expropriation of their land and property, the torture of prisoners, and the violation of human rights. Israel pursues these odious policies in all the territories that it occupies. It is also continuing to pursue policies that provoke tension and pose a threat to international peace and security in general and to the security of the Arab States in particular, such as its refusal to accede to the Treaty on the Non-Proliferation of Nuclear Weapons and its refusal to submit its nuclear facilities to the International Atomic Energy Agency's full-scope safeguards regime.

Given that eight years have already elapsed since the peace process between the Arab parties and Israel began at Madrid in 1991 on the basis of Security Council resolutions 242 (1967), 338 (1973) and 425 (1978) and the principle of land for peace, and given the developments there have been on the various tracks pursued under the process, we find it regrettable that the present Israeli Government rejects the very foundation on which the peace process is based, which would require its complete withdrawal from all the Arab territories it occupies. It also persists in ignoring the obligations assumed and undertakings given by the previous Government, and it is this that has led the peace process into an impasse and has prompted the United Nations to expressions of concern and indeed condemnation with regard to the positions taken by Israel. These can be found in a large number of its resolutions and most prominently in those recently adopted by the General Assembly at its tenth emergency special session.

Today, 50 years after Israel's admission to membership in the United Nations, it must be stressed that it is incumbent on Israel to discharge the obligations and fulfil the undertakings that it then assumed and in accordance with which its membership was accepted. In the light of the ongoing responsibility of the United Nations for the question of Palestine and of its role in establishing a just and comprehensive peace in the Middle East, the international community must ensure that Israel respects the provisions of the Charter of the United Nations, international law in general and international humanitarian law, the resolutions of the United Nations and the agreements that it has signed with its neighbours. Israel must withdraw, without qualifications or conditions, from all the occupied Palestinian territories, including Jerusalem, from the occupied Syrian Golan back to the line of 4 June 1967, and from occupied southern Lebanon. It must also desist from its policy of settler colonialism, and it must respect the national rights of the Palestinian people and principally its right to exercise self-determination and establish an independent Palestinian State in accordance with its natural right to establish

such a State, General Assembly resolution 181 (III) of 1947 and the Declaration of Independence of 1988.

I should be grateful if you would have this letter circulated as a document of the General Assembly, under items 39 and 40, and of the Security Council.

(Signed) Abdallah BAALI
Ambassador
Permanent Representative of Algeria
to the United Nations
Chairman of the Arab Group

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LETTER DATED 6 MAY 1999 FROM THE SECRETARY-GENERAL ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to inform you that I have decided to appoint Mr. Carl Bildt (Sweden) and Mr. Eduard Kukan (Slovakia) as Special Envoys of the Secretary-General for the Balkans. You will find attached the text of their mandate (see annex). I expect Mr. Bildt and Mr. Kukan to assume their duties immediately.

I should be grateful if you would bring this decision to the attention of the members of the Security Council.

(Signed) Kofi A. ANNAN

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Annex

[Original: English]

Special Envoys of the Secretary-General for the Balkans

The Special Envoys will assist the Secretary-General in pursuing efforts in the region consistent with the relevant provisions of the Charter of the United Nations relating to the restoration of peace and security and the establishment of conditions conducive to the voluntary return in safety of refugees and displaced persons to their homes. Specifically, they will:

(a) Maintain continuous contacts with all parties concerned, including the G8, at an appropriate level;

(b) Facilitate a lasting political solution to the crisis as well as interim arrangements to that effect through diplomacy in coordination with all concerned;

(c) Endeavour to ensure that such arrangements or such a solution should be on the basis of agreement by all concerned;

(d) Help to coordinate the efforts of the United Nations system as a whole in order to ensure coherence and avoidance of duplication, particularly in the implementation phase;

(e) Report to the Secretary-General on relevant developments;

(f) Undertake any special assignments which the Secretary-General may decide to entrust to them.